

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM No. M-27400 OF 2017 (O&M)
DECIDED ON : 31.07.2017**

Parmeshwar Kumar Dixit and another
...Petitioners
versus

Sarvesh Kumar
...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Jai Bhagwan, Advocate,
for the petitioners.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners have challenged the impugned order dated 29.03.2017 (Annexure P-8) passed by the trial Court, whereby the matter was adjourned to 06.04.2017 for arguments.

Learned counsel for the petitioners contends that the petitioners require only one opportunity to complete their defence evidence and despite their best efforts, they could not lead evidence on 09.03.2017, whereon the case was listed for such purpose. He further contends that the trial Court simply adjourned the matter by the impugned order without granting opportunity to the petitioners to lead defence evidence.

In view of limited nature of prayer made by the petitioners, I do not deem it necessary to issue notice to the respondent.

The complaint has been filed under Section 138 of Negotiable Instruments Act alleging therein that two cheques amounting to Rs.3,48,000/- were dishonoured. Hence, it would be in the interest of justice, if one opportunity is granted to the petitioners to lead their defence evidence.

Consequently, the instant petition is allowed, subject to payment of costs of ₹5000/-. The petitioners shall be granted only one more opportunity to lead their evidence.

(ANUPINDER SINGH GREWAL)
JUDGE

JULY 31, 2017
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| 1. Whether speaking/reasoned : | YES/NO |
| 2. Whether reportable : | YES/NO |